

REMARKS

Applicant has previously cancelled claims 1 through 4. Claims 5 through 13 remain in the patent application. Claim 5 is in independent form.

In the Examiner's most recent office action mailed October 27, 2008, the Examiner rejected claim 5 under 35 U.S.C. § 103 as being unpatentable over United States Patent 6,286,983 (the '983 reference) in view of Japanese reference JP 60-193739 A (the '739 reference). Applicant respectfully traverses this rejection. The '983 reference discloses an external mirror assembly for an automotive vehicle. The mirror assembly includes a shell and a mirror housed within the shell and visible through an aperture in the shell. The '983 reference discloses a mirror glass 58 housed within the mirror housing with the reflective surface visible through the aperture. The mirror also includes a lighting unit 4, which is disposed adjacent a free space 59 allowing emitted light beams 63 to exit the aperture of the shell.

The '739 reference discloses a heater film 1 that is vacuum-deposited on the back of the glass base plate of a mirror. The heater film covers the entire glass base plate.

Claim 5, as amended to clarify the invention, claims a vehicular external mirror module having a mirror housing and a mirror glass housed within the mirror housing. The vehicular external mirror module also includes a combination film fixedly secured to the mirror surface of the mirror glass. The combination film includes an integrated luminescent film and a heating web. The heating web is integrally formed with the combination film to heat the mirror glass. Power transmitted to the combination film is used by the integrated luminescent film and the heating web.

While the combination of the '983 reference and the '739 reference would include a mirror assembly having a lighting element 4 disposed within the casing 53 of the external mirror 52, and a heating element covering the back surface of a mirror glass base plate, there is no discussion in either of these references about combining the two electrical elements into a single combined or combination film. In particular, much of the '739 reference discusses the use of a center electrode and an electrode on a peripheral edge of the mirror glass. In particular, this

Amendment

Application Filed: April 24, 2006

Serial No: 10/577,278

reference does not comport with the disclosure in the '983 reference beginning at column 10, line 33 through column 13, line 65. This exhaustive discussion of how the control circuit for the lighting unit 4 in the '983 reference never discusses the opportunity of using this circuit for some other element. In fact, the '983 reference teaches away from using the power source of the lighting unit 4 for anything such as a heating element when it states "the advantage of such triggering resides in the fact that, due to the low frequency supply of the consumer 80, particularly the lighting device 1, in a frequency rhythm of the switching device 82 a longer life duration is achieved for the lighting element 4 as this is **not continuously supplied with power**, but after expiry of the period 97 a rest phase is provided for the lighting element 4," (column 13, lines 48 through 54). To use this control and power mechanism with a heating element is counter-intuitive.

In contradistinction, claim 5, as amended to clarify the invention, claims a single combination film that has both a heating web and an integrated luminescent film whereby power transmitted to the combination film is used by both the integrated luminescent film and the heating web.

None of the references disclosed by the Applicant nor discovered by the Examiner show the combination of having a mirror housed with a piece of mirror glass wherein a luminescent film and a heating web are formed in the same film and electrically connected. Therefore, claim 5, as amended to clarify the limitations set forth therein, overcomes the rejection under 35 U.S.C. §103.

Amendment

Application Filed: April 24, 2006

Serial No: 10/577,278

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-0852.

Respectfully submitted,

/david j simonelli, reg. no. 36,680/
David J. Simonelli, (Reg. No. 36,680)
Reising Ethington Barnes Kisselle, P.C.
P.O. Box 4390
Troy MI 48099-4390
(248) 689-3500

Date: January 27, 2009

Attorney Docket No: 7742.3006.001